

Danner, Ward

From: Jennifer DENICOLA <jd18@me.com>
Sent: Friday, June 27, 2014 6:07 PM
To: Armann, Steve
Cc: Blumenfeld, Jared; Scott, Jeff
Subject: Re: EPA Comments of the District's PCB Plan -- Clarification on June 4th EPA comment letter on the SMMUSD Comprehensive PCB Plan

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Steve,

While i appreciate you sending this to me, I need clarification. First of all we are missing much needed transparency. This is a public entity that requires full disclosure to the community, not after the fact, but during the process in real time with your agency.

The MhS plan that you so clearly asked for in your jan 27th letter is very specific about the items needed to be addressed in this plan. Environ has failed to create a plan that addresses MHS and the demands you laid out. The 5 rooms that violate TSCA need to be addressed. All pre-1979 caulking needs to be addressed. And not just deteriorating caulk. EPA clearly states that caulking intact or deterring is both have PCB's, and you can not determine PCB's by this. The caulking in these old buildings have outlived it's use. This needs to be addressed in all old buildings.

Testing first with no independent oversight and using the results as basis for any plan behind closed doors is wrong. Where is the evaluation or screening criteria? The plan was supposed to come first, in march! Then April and now July. If they do not provide an adequate plan and the EPA let's them extend or get away with it again, then we will have to take action. This is unacceptable.

We, the parents and teachers of Malibu have put up with so much for way too long. You heard Jared when he said the districts behavior is wrong and yet you, yourself have enabled this behavior. We asked, and you would not step up. The district would not clean the rooms for our kids for 7 months but did it for the EPA in 24 hours. That is so messed up! You see that don't you?? How can an agency tasked with protecting human health allow our kids to sit in dirty classrooms that we can all safely assume has toxic exposure let alone the other diseases that dirty places cause?

Rooms are being re-cleaned and retested at school right now. Did they test badly? Where is the data?? This is not how a plan is executed. Test the sources. Test them now that way we all know what we are dealing with and can make a plan to remediate ASAP as well as protect and plan for our children. After you remediate, test the air for confirmation. Air testing is not a one time snapshot, it must be done multiple times and averaged out to accurately predict exposure.

Caulk tests = \$100 per test

Air tests = \$1000 per test

Simple math, simple answer. Test the sources. Share the data and let's move on. The EPA policy to only consider air and dust as an exposure pathway is rhetoric. What about the caulk that is falling apart, the kids that touch it, the teachers that open the window and touch it? This caulk has outlived it's usefulness and can be now classified as hazardous waste if it contains 50ppm. Get rid of it! This don't test don't tell policy is irresponsible!

Please get those results to me immediately. Obviously environ has them. They are not proprietary and they must be shared. Please email environ today and cc me and ask them to send over all tests to date and as they receive them each day. Unless you have them already, then you can send them.

I will contact you on Monday to address the testing results if I don't hear from you prior.

Respectfully,

Jennifer deNicola

Malibu Unites

www.MalibuUnites.com

Sign Our Petition to Remove Toxicants from Schools

<http://goo.gl/sKR30F>

On Jun 27, 2014, at 3:50 PM, "Armann, Steve" <Armann.Steve@epa.gov> wrote:

FYI

Steven S. Armann, Manager
Corrective Action Office (LND-4-1)
USEPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Phone: 415-972-3352

Fax: 415-947-3533

Email: armann.steve@epa.gov

From: Armann, Steve

Sent: Friday, June 27, 2014 8:52 AM

To: 'Doug Daugherty'

Cc: Huetteman, Tom; slyon@smmusd.org

Subject: RE: EPA Comments of the District's PCB Plan -- Clarification on June 4th EPA comment letter on the SMMUSD Comprehensive PCB Plan

Doug,

When we requested that both plans be submitted within 30 days, we did not account for the significant data collection activities the District is currently undertaking and how that data will be used to influence the General Plan. Furthermore, as we mention in our letter, the General Plan is not formally required and is essentially a voluntary action by the District. I concur with your clarification regarding the due date for the General Plan.

We look forward to receiving the Malibu High School specific plan next week and working with you throughout the summer as you collect additional data and develop the General Plan.

Please call me if you have any questions or further clarifications.

Steven S. Armann, Manager
Corrective Action Office (LND-4-1)
USEPA Region 9

75 Hawthorne Street
San Francisco, CA 94105

Phone: 415-972-3352
Fax: 415-947-3533
Email: armann.steve@epa.gov

From: Doug Daugherty [<mailto:ddaugherty@Environcorp.com>]
Sent: Thursday, June 26, 2014 12:19 PM
To: Armann, Steve
Cc: Huettelman, Tom; slyon@smmusd.org
Subject: RE: EPA Comments of the District's PCB Plan -- Clarification on June 4th EPA comment letter on the SMMUSD Comprehensive PCB Plan

Dear Steve,

As per our discussions, ENVIRON is seeking clarification and confirmation on the deliverables requested by EPA in its June 4th letter to SMMUSD.

One part of the EPA letter addressed preparing a document with a focus on a Malibu High School (MHS) specific plan to address the four rooms where caulk has been tested and shown to be above 50 ppm PCBs. We appreciate the clarification on the content of this plan during our meeting on June 17th. Our intent is to provide you this MHS-specific plan that addresses areas with tested caulk above 50 ppm PCBs by July 4th.

A second part of your letter addressed revisions to ENVIRON's General Plan for management of potentially PCB containing materials in SMMUSD schools. We understand that your intent is to review this revised General Plan and provide comments on its consistency with national approaches to PCBs in schools. It is our understanding that EPA may concur with the General Plan but will not approve it. As we discussed, ENVIRON is proposing to use the data and information collected this summer during the inspections and sampling at MHS and Juan Cabrillo Elementary School (JCES) as well as comments provided to date on the General Plan in order to revise the General Plan. As the final data on this summer's activities will not be available until later this summer and early fall, ENVIRON proposed moving the submission of a revised General Plan to EPA until this fall so we can incorporate the data from MHS and JCES into one revised General Plan. We understand that EPA is agreeable to this approach and would like to obtain your confirmation that the revised District General Plan is no longer due to EPA by July 4th.

Please reply to this email to confirm your concurrence regarding the content of the MHS specific plan, which will be delivered to EPA by July 4th, and to confirm that the revised General Plan is no longer due to EPA by July 4. We appreciate EPA's continued dialogue with us on this.

Regards,
Doug



Doug Daugherty, PhD, PE, CIH | Managing Principal
ENVIRON International Corporation

201 California Street, Suite 1200 | San Francisco, CA 94111

T: +1 415 796 1932 | F: +1 415 398 5812

ddaugherty@environcorp.com

From: Huetteman, Tom [<mailto:Huetteman.Tom@epa.gov>]

Sent: Wednesday, June 04, 2014 3:14 PM

To: slyon@smmusd.org

Cc: thomas.cota@dtsc.ca.gov; Doug Daugherty; Santos, Carmen; Armann, Steve

Subject: EPA Comments of the District's PCB Plan

Dear Superintendent Lyon,

Attached are EPA's comments on the "Comprehensive PCB-Related Building Materials Inspection, Management, and Removal Plan for Santa Monica-Malibu Unified School District." Per the attached letter, please contact Carmen Santos to schedule a call to discuss these comments. Steve Armann is out on vacation until June 16. During his absence, feel free to contact me or Carmen.

Sincerely,

Tom Huetteman, Assistant Director
RCRA Branch, Land Division, USEPA Region 9
415-972-3751

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